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ARTICLES

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Despite the ideological impartiality claimed by Thomas Sowell and many of his followers, he is frequently boxed into the category of conservatism. This article challenges this assumption by advancing a reading of the conceptual foundations of Sowell's thought as fundamentally Hayekian. While Hayek's influence on Sowell is well documented—he was Sowell's professor at the University of Chicago, and Hayek regarded Sowell's work on knowledge and decisions as a creative continuation of his own—the significance of this influence is often overlooked in favor of other figures in Sowell's career, such as Milton Friedman. Although this article does not deny the influence of other thinkers on Sowell's work, it proposes an alternative interpretation that reveals parallels to Hayek's ideas and advances a reading of Sowell as a Hayekian liberal by focusing on three key concepts across his work: freedom, justice, and order. Each of these concepts heavily relies on a shared lineage between Hayek's British evolutionary tradition and Sowell's constrained vision. I argue that the conceptual foundation of Sowell's thought is Hayekian, regardless of clear methodological differences.

At first glance, equating Thomas Sowell with liberalism sounds like political heresy. Any reader of Sowell will soon find that in many of his works, "liberals" are the main target of several of his strikes against the left and are depicted as the source of social problems which Sowell analyzes and denounces. This, however, is an example of how cultural boundaries can often determine the diverse meanings of a term. Sowell sees that liberalism means different things in different countries, and this is the main reason he employs terms the way he does. This is also why thinkers such as Milton Friedman are labeled conservative in his work: "Another complication in making these dichotomies of social philosophy is that many twentieth-century institutions or legal precedents represent thinking that is 'liberal'

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(in American terms) or social-democratic (in European terms), so that conservatives who oppose these institutions or precedents are often confronted with the argument that such things are 'here to stay'—essentially a conservative principle. Those on the political right may thus end up arguing, on the ground of the political left, that certain policies are 'irrational,' while the left defends them as part of the accepted social fabric, the traditional position of the right" (Sowell 2007a, 90).

Yet Sowell does not limit his relation to liberalism to a linguistic issue alone; he also expresses nostalgia for a liberalism that once was—and which he believes was later destroyed by liberals themselves, primarily due to their initiative to increase the role of government, even to the degree of enforcing social "volunteering." Sowell (2011, 307) views these compulsory demands as "Orwellian," often backed by moralist state propaganda that entails submission and transforms well-intentioned community programs or initiatives—such as environmentalism and homelessness subsidies—into counterproductive measures that harm the community. Thus, liberals today have distorted the meaning of liberalism to reflect exactly the sort of vision and policies Sowell disagrees with.

I argue that these attacks on the principles that liberalism once stood for—such as critical thinking, freedom of speech, and freedom of association—are the starting point for what Sowell identifies as the underlying attitudes and actions that cause many of society's current problems—namely, the pretentious beliefs held by elites who assume they can guide individuals' lives better than those individuals can guide their own; the creation of solutions that form an impenetrable agenda resistant to questioning; the rise of consequences that affect the most vulnerable, who were initially meant to be helped; and the absence of responsibility and accountability for those consequences. All of this, ultimately, leads to the destruction of a free society and the rise of one that is more akin to totalitarianism per Sowell's analysis.

This is not limited to government, since it necessarily infiltrates other parts of society, such as education. Sowell (2011, 308) contends that "liberal"-dominated colleges and universities in the United States restrict free speech and punish dissenting students with lower grades, suspensions, and expulsions, particularly for challenges to left-wing views or perceived offenses against protected groups. For Sowell, liberals perverted liberalism by prioritizing ideological conformity and power over intellectual freedom and critical thinking, thereby destroying the liberalism that once was: "The term 'liberal' originally referred politically to those who wanted to liberate people—mainly from the oppressive power of government. That is what it still means in various European countries or in Australia and New Zealand. It is the American meaning that is unusual: People who want to increase the power of government, in order to accomplish various social goals" (307).

Beyond simply providing a historical illustration of the term, Sowell seems to suggest that, if liberalism meant what it once did in America, he would agree with it and embrace the term. In other words, any label he does use to describe his work—or that of figures he admires, such as Friedman—is intended to reflect what liberalism once meant. Moreover, I would argue that the problems Sowell identifies in American life, as presented throughout many of his works, are predicated on the loss of the vision that once was and the introduction of the pervasive vision that now is. That is to say, there has been a deterioration of the principles and beliefs that once defined liberalism, which incongruously continued to mark twentieth-century intellectuals whom Sowell reveres, such as Friedman, George Stigler, and, perhaps most importantly for his political thought, F. A. Hayek.

When Sowell refers to a negative definition of freedom, he refers to Hayek; when he speaks of the limits and decentralized nature of knowledge, he appeals to Hayek; when he rejects social justice and analyzes traditional justice as procedural and neutral in a market environment, he quotes Hayek; and when he reflects on the mentors and professors throughout his academic career who inspired him most, he names Hayek (Riley 2021, 125). This is not to suggest that Sowell simply copies and pastes Hayek's work as his own; there are clear differences in methodology and conclusions concerning economics and the social sciences that separate the two. But in Sowell's political thought, I think that there is a looming and often direct Hayekian presence, complemented by other intellectual influences and a shared understanding of the history of ideas among them—specifically as it concerns the British evolutionary philosophical tradition, which Hayek vehemently adhered to as the point of reference for his own liberalism.

Like Hayek (2022, 87), Sowell holds a special place for Britain in his analysis of history and culture. For Sowell (1998, 112–13), Britain had geographical advantages as an island nation protected by natural barriers, but it was also exceptional in its human capital and in the traditions and laws that facilitated the development of freedom and free institutions. All of this allowed Britain to surpass cultural backwardness, especially through the cultures brought to the isles by the Jews, the Normans, the Romans, the Lombards, and others who contributed to Britain's future success.

This success was further enabled by cheap water navigation, which allowed for the efficient transport of coal and other raw materials, in contrast to nations with larger, less navigable interiors (Sowell 1998, 112–13). But beyond geographical advantages and cultural imports, the development of human capital had to be accomplished by the British themselves—and this, Sowell argues, brought great benefit to the entire world, beyond the confines of the empire. In this sense, it is the traditions and institutions embraced by the British which Sowell believes deserve the most attention:

> British law and its traditions of impartiality made London a magnet for the capital of the world, enabling Britain to industrialize with other people's capital, as well as its own. . . British law was of course more than an economic asset. Its separation of powers and rights of citizens against the government were the foundation of the freedom of the British themselves. . . . While many other countries copied British systems of law and government, those that succeeded in creating similarly free governments were largely those that came from the same tradition—the United States, Canada, Australia, New Zealand—for the historical experiences that were distilled into powerful traditions were essential to the functioning of the legal and political institutions themselves. (112–13)

This historical depiction provided by Sowell aligns precisely with a conception of liberalism which meant liberation and, more importantly, with the attitudes and institutions required for a successful free society. The approach to liberalism as a synthesis of principle and tradition expressed in Hayek is also taken by Sowell. The principles and institutions of liberalism that are worth preserving—given their role in enhancing the cultural capital required for resilience and prosperity—are, according to Sowell, embedded in the history of the Anglosphere.

This depiction of Britain and its relation to liberalism in Sowell's work is further reflected in the direct influence of Adam Smith, Richard Cobden, David Ricardo, and John Stuart Mill (whom Sowell is often critical of), as well as in Sowell's (2007b, 19–20) rejection of the idea that these thinkers were conservatives, since they were unwilling to compromise with existing institutions and dominant social classes:

> Adam Smith's attacks on both were sweeping, and the Ricardians were active in attacking not only economic anachronisms (the Corn Laws, prohibitions against trade unions, and other mercantilistic regulations) but were also active—as Benthamites—in attacks on political relics and abuses. The rise of more radical critics, schools, and movements with the development of industrial capitalism made the classical economists seem more conservative. Moreover, the rallying cry, laissez-faire was, in the new context, no longer simply an attack on institutional favoritism to the upper classes. It was now usable as a defense of new vested interests who were imposing important external costs on society by unsanitary working and living conditions, child labor, pollution, etc.

Sowell calls for a reconsideration of these thinkers as critics of the conservatives of their time (21). Moreover, though he does not explicitly refer to them as liberals, what he describes in the context of the nineteenth

century are adherents to a tradition best understood as laissez-faire liberalism. Similarly to Hayek, Sowell believes this tradition requires adjustment in light of changing variables, outdated models, and evolving times, but it nevertheless served as the foundation for many of his ideas. Though Sowell often treats economics more as a science than as ongoing moral and political debates, he recognizes that it cannot fully escape ideological or historical entanglements. This is evident in his portrayal of the classical economists as being tolerant toward other thinkers but also introducing a radical form of thinking that took power from intellectual elites.

As it pertains to philosophy, Hayek makes a dichotomy in the history of ideas between an evolutionary tradition and a continental one, which Sowell mirrors with his own dichotomy between what he calls a constrained and unconstrained vision. Sowell points out that these are not mutually exclusive visions and can often be combined—as is the case with the work of John Stuart Mill and Karl Marx. While Sowell attempts to show neutrality in *A Conflict of Visions* (1987), he clearly identifies with the constrained vision in multiple interviews and works.

The constrained vision, according to Sowell (2007a, p.21), rests on the belief that human beings are inherently flawed, in contrast to the unconstrained vision, which suggests that man is perfectible through reason and willpower. According to the former, the solutions to many of society's problems are simply nonexistent, and the best we can hope for are trade-offs (29). Though this might seem like a staunchly conservative perspective on Sowell's part—and contrary to Hayek's more utopian perspective—Sowell believes that these trade-offs are mediated through institutions such as the rule of law, fair elections, and military defense. I argue that this belief is tied to a series of moral presuppositions, which rest on freedom, justice, and order—all of which are principles found in Hayek's liberalism and the British evolutionary tradition he described.

In other words, the best institutions—and their underlying principles—one could hope for to deal with many of these problems were those of liberalism, understood within the framework of Hayekian liberal logic. Sowell expresses nostalgia for a liberalism that has been lost and blames its downfall on elitist discourse dating back to the progressives of the early twentieth century. Among the many thinkers he repudiates throughout history are Rousseau and Robespierre as well as anglophone thinkers and political figures such as John Rawls, Woodrow Wilson, and Ronald Dworkin who he believes espoused similar ideas.

Accordingly, Sowell builds his own canon of thinkers who hold one of these visions and who adhere to the analytical presuppositions required for the support of specific future governmental decisions, policies, and societal arrangements. These presuppositions mark Sowell's history of Western political thought and mirror Hayek's dichotomy between British and

continental liberalism. Though Sowell attempts to be ideologically impartial, he depicts the unconstrained vision as the main culprit behind society's problems and the prevailing vision among intellectuals. What characterizes the thinkers associated with the unconstrained vision is an overestimation of the knowledge they possess in their attempts to offer solutions and a tendency to create new problems in these attempts.

These top-down solutions to problems—which treat society as though it could be engineered—are criticized by Hayek but also by Karl Popper, who distinguished between the radical engineering of society and piecemeal engineering. This criticism reflects Sowell's epistemic skepticism, but it also challenges the deeper assumptions behind the successes, failures, and overall disparities that contemporary intellectuals attempt to remedy or describe. The reason why many disparities between social groups exist, according to Sowell, is related to culture—specifically, to cultural capital—and to the patterns and institutions operating within these groups. This account is far more detailed than Hayek's, and Hayek himself recognized it as a continuation of his own ideas.

I disagree with Sowell's intellectual biographer Jason Riley on three interrelated points:

First, while Riley (2021, 32) does give Hayek his just due as an influence on Sowell's work, he credits Friedman and Stigler as the primary influences. Though I agree that this is true for Sowell's economic work, his political thought is far closer to that of Hayek's liberalism.

Second, given this closeness to Hayek, while Riley (2021, 164) is correct in suggesting that Sowell does not see constrained and unconstrained visions as substitutes for "liberal" and "conservative" or "left" and "right," the elements of the constrained vision with which Sowell agrees are not only aligned with Hayekian principles but also grounded in a depiction of history that gives meaning to the concepts employed by that vision as well as to the vision's overall significance. This grants it validity over the unconstrained vision, which he is opposed to and even caricatures at times. Thus, the way Sowell categorizes the assumptions made by each vision reflects an understanding of the history of political thought that closely resembles the liberal interpretation provided by Hayek and other twentieth-century figures Sowell agrees with—an interpretation which includes views on institutions and functions deemed valuable for a free society. In other words, Sowell's understanding and analysis of the assumptions of each vision and those who portray them is predicated on assumptions of his own.

Third, this liberalism promotes a categoric placement of Sowell that defies Riley's (2021, 119) attempts to place him as "his own man" and to point out disagreements Sowell has with his "ideological allies." I argue that Sowell's disagreements do not equate to complete neutral intellectual autonomy, as

Riley suggests, because that claim rests on the false premise that people who share the same ideology or political philosophy can never disagree without first abandoning it.

A major difference between Sowell and Hayek is that the former uses far more empirical data than the latter throughout his work. However, an analysis of Sowell's methods and economics is not the purpose of this article; rather, I claim that despite obvious methodological differences, the underlying political concepts in Sowell's work are those of a Hayekian liberal. For all the times Sowell (2025) claims to be an umpire among baseball players in the ideological realm, appealing to empirical fact rather than any philosophy or theory, he recognizes that all of his ideas carry moral presuppositions—and these, I believe, are liberal (Sowell 2007a, 31).

Much like Hayek, Sowell synthesizes liberal principles and institutions with culture as the basis for his own thought. For this reason, rather than employing the term *liberalism* as an actor's category as Hayek does, I will use it as an observer's category to refer to Sowell's thought. For Sowell, liberalism is an imperfect institutional framework capable of correcting itself by means of the cultural practices and behavioral patterns that align with freedom and the rule of law, thus promoting a sense of order based on the harmony that arises from individuals pursuing their own ends in the face of constraints without guaranteed outcomes.

In what follows, I address the concepts of freedom, justice, and spontaneous order in Sowell's work and analyze these concepts to show that his political thought represents a continuation of the liberalism defended by Hayek. Despite Sowell's rejection of labels, I aim to demonstrate why he can be considered a Hayekian liberal.

Freedom

The two thinkers who directly influence Sowell's understanding of freedom are Thomas Hobbes and F. A. Hayek. Sowell (2007a, 72) finds in Hobbes the best formal articulation of freedom—namely, the absence of externally imposed impediments to movement—and he views Hayek as extending this definition to the absence of coercion. Crucially, Sowell finds affinity with Hayek's definition because it does not entail absolute freedom of the will but is instead linked to restrictions predicated on "circumstances" (70–72). This, of course, contradicts what he deems to be the erroneous belief in the unconstrained vision of man in society as born free but forever in chains. For Sowell, this Rousseauian idea views restrictions as bad and potentially unnecessary and suggests that freedom is only possible in the absence of such impediments to the range of choice (29). In Sowell's view, for freedom to function properly, there must be limits to human betterment, and there must be rules we ought to follow for freedom to have any value at all.

In this sense, freedom is tied to Sowell's understanding of human capability. The best that man is capable of in relation to freedom is initiating processes in which there are widely known rules that limit how much power one individual holds over another and thus restrict the specific conditions under which that power may be exercised. For Sowell (2007a, 105), man is not capable of both shaping and judging end results, since this would entail the false belief in a right or duty to ensure outcomes that maximize individual choice and guarantee the removal of any impediment to satisfying one's desires. For Sowell, such outcomes would require granting compensatory advantages to those whose social backgrounds handicap them in competition with others, whether for deliberate or circumstantial reasons (72). The problem is that the ability to assign these advantages would extend beyond the competence of any individual or council and would likely disrupt social processes to the general disadvantage and endangerment of society.

In other words, attempting to guarantee outcomes often results in the direct opposite of what was intended. Moreover, even where certain results may be causally attainable, they are not morally or intellectually justified independently of the processes by which they were achieved (Sowell 2007a, 83). Freedom derives not solely from ideas but also from historical development: "Freedom began to emerge where governments were too fragmented, too poorly organized, or too much in need of voluntary cooperation to prevent its emergence. That was the situation in parts of medieval Europe, where a politically fragmented continent had numerous local rulers who needed the economic resources being produced by prosperous towns and cities, in order to finance their own wars of aggrandizement or to protect themselves from others' wars of aggrandizement" (Sowell 1998, 374). For Sowell, freedom is a historical fact originating from British settlers who brought political freedom to North America. Only later did this develop into a political philosophy (376)—a "philosophy of freedom" aligned with Hayek which Sowell considers lost.

Like Hayek (1960, 71), Sowell defines freedom in contrast to what it is not. For example, Sowell does not see freedom as necessarily tied to pleasure, since the indispensable rules of a free society require from us much that is unpleasant. Moreover, freedom is not absent simply because the results of one's goals are unfulfilled or because they differ from expected outcomes. In markets, for example, individuals would still be free even if high costs prohibited a choice that could be made available through collective decision-making (Sowell 2007a, 83).

Sowell (2007a, 90), however, argues that freedom serves social ends beyond individual purposes. Both the constrained and unconstrained visions prioritize the common good, though they differ on how to achieve it. The divide, Sowell argues, lies not in moral values but in empirical assumptions

about human nature and social cause and effect (90). Freedom, justice, and equality are procedural for Sowell; but in the unconstrained vision, they are treated as guaranteed results, which he rejects.

In this sense, Sowell is far from Randian objectivism, which elevates individual self-interest above all. Like Hayek (1960, 123), he doubts humans' rational capacity to determine their own values. But while greater freedom does benefit society through the expansion and exercise of useful knowledge, Sowell emphasizes that there must be constraints too: Individuals cannot overcome their flawed nature, so there must be limits to prevent the abuse of freedom.

For this reason, the procedural character of freedom rests on the foundation of tradition. As Sowell (2014) often remarks, freedom is not free—that is, it is not an innate quality found in human beings simply by virtue of their being individuals; rather, it is a notion that must be fought for. For Sowell, the rights articulated in the US Constitution mean little if the government can punish individuals for exercising those rights. He considers the US "exceptional" in this sense, because self-government on such a large scale among the population is a historically unique experiment. Much like Hayek (1982, 61), Sowell depicts the history of liberalism as synonymous with constitutionalism.

Sowell (1980, 224) views the Constitution as a central part of the US's cultural heritage, granting freedoms shaped across generations. He sees detractors of this view as threats to liberty, since the Constitution protects individuals only if they actively defend it. This reflects his idea of liberalism as a philosophy of liberation, in which principles must be preserved and respected as part of a valued tradition. This account of tradition is tied to responsibility, which, as in Hayek's thought, underpins the moral value of freedom. Freedom, constrained by laws and obligations, is never exempt from accountability, since its irresponsible exercise amounts to anarchy (Sowell 2014).

In Sowell's (2011, 201) view, the prerequisites of freedom are rooted in Britain's history and form the foundation of American exceptionalism: "The fundamentals of freedom—limited government, separation of powers, an independent judiciary, free speech, jury trials—existed in Britain for many generations before the franchise was extended to most males. The whole spirit, and many of the phrases, of the Constitution of the United States derive from British law and government." Sowell adopts Hayek's British evolutionary tradition as the foundation for his definition of freedom, which he traces back to the Magna Carta of 1215, which established rights that even the king had to respect. As in Hayek's work, Sowell's freedom is inseparable from the rule of law, as exemplified by the monarch's lack of power over judges and the establishment of an independent judiciary by the late seventeenth century. The separation of powers, the abolition of slavery,

the voice granted to localities, the circulation of ideas in the press, and the relationship to a military not predicated on intimidation are all rooted in a British notion of freedom. All of this translates to the absence of coercion, freedom of association, freedom of thought, and even coercion as a means for liberty's protection—each of which is characteristic of the definition Hayek gives of the British evolutionary philosophical tradition (Sowell 1998, 103).

Sowell (2007a, 19) views freedom as tightly bound to the notion of equality, described as such by Hayek as well. "'Equal treatment,' according to Hayek, 'has nothing to do with the question whether the application of such general rules in a particular situation may lead to results which are more favourable to one group than to the others.' There are, for Hayek, 'irremediable inequalities,' just as there is 'irremediable ignorance on everyone's part.'"

The use of force to achieve equality destroys freedom, and force—even if introduced for good purposes—ultimately falls into the hands of those who use it to promote their own interests (Sowell 2007a, 19). Any form of exploitation, for Sowell, is more likely to be eliminated by a competitive economy that values freedom than by the deliberate intervention of political leaders in complex economic processes they can never fully comprehend. The danger, for Sowell, is not just the adverse economic consequences of such intervention but the dire ramifications of an increased concentration of political power. In short, attempts to equalize economic results lead to greater—and more dangerous—inequality in political power. Sowell (97) attributed this insight to Hayek's *The Road to Serfdom*.

For the unconstrained vision, equality and freedom are not in conflict but are instead twin applications of similar principles, often summarized as "political democracy" and "economic democracy" (Sowell 2007a, 100). Sowell, however, sees a major conflict between allowing freedom of individual action and prescribing equality of social results, primarily because it is illusory to expect that the prescription of social and economic results can be achieved while maintaining freedom in noneconomic areas. This argument which Sowell advances on the relationship between equality and freedom is a copy of the very same argument Hayek (2007, 81) makes in chapter 2 of *The Road to Serfdom*, titled "The Great Utopia." Essentially, the meaning of freedom and equality has been changed by social democrats, and the older concept has been sacrificed to make way for the newer.

Like Hayek (1982, 99), Sowell sees the moral value of freedom as heavily dependent on constraints and responsibility toward others. Thus, unlike the unconstrained vision, which frames freedom as the privilege of the wise—or of the masses under moral exemplars—Sowell warns that concentrating political power to solve social or economic problems undermines individual liberty. The problem with those who have perverted liberalism, for Sowell, is that their view of the exercise of freedom involves limitless pursuits and ingenious creativity.

The value of freedom, for Sowell, is not predicated on the degree to which one's desires can be realized, regardless of whether the obstacles to full realization are restrictions deliberately imposed by the government or a lack of circumstantial prerequisites. Freedom in Sowell's liberalism constitutes an inherited process that must abide by reality's constraints in order to be valuable and must entail a limited level of interference from individuals or groups that claim greater knowledge than the individual concerning the pursuit of his ends. It is only when the traditions from which we inherited freedom are protected responsibly that freedom and its benefits can be preserved.

Justice

Among his many criticisms of intellectuals, few are as prevalent throughout Sowell's work as those regarding the issue of justice. Similar to Hayek, the primary target of his attacks is social justice. But Sowell (1999, 14–15) takes his analysis further by coining the term "cosmic justice," which refers to attempts to rectify not only human-caused injustices but also disparities arising from factors beyond human control, such as cultural, genetic, and familial differences, historical events, and oversights of a higher power. The opposite of this justice is traditional justice—that is, justice under the rule of law—which Sowell (17) believes is the only form of justice we should strive for. His critique of social justice is not only based on its impossibility but also on the harm it causes to society and individuals when applied, as well as its fallacious premises.

This incompatibility between social justice and the rule of law is an explanation Sowell attributes to Hayek. Sowell often emphasizes the zeal that social justice inspired among totalitarians and the unintended consequences of government expansion beyond the rule of law. Sowell (2007a, 149) opposed interventionism based on social justice: "The greatest danger of the concept of social justice, according to Hayek, is that it undermines and ultimately destroys the concept of a rule of law, in order to supersede merely 'formal' justice, as a process governed by rules, with 'real' or 'social' justice as a set of results to be produced by expanding the power of government to make discretionary determinations in domains once exempt from its power." Sowell sees any notion of distributive justice as incompatible with the rule of law, and he believes that the ideal of a government of laws—not of men—is all that stands between a free society and totalitarianism. This is the attitude he believes is inherited by constitutionalism, which rejected tyranny and absolute monarchy. The definition of justice Sowell (150) interprets Hayek as giving—and which he himself abides by—is that justice consists of formal, impersonal rules governing a process. Beyond finding solutions to particular problems, it is more important to maintain the integrity of such a process and aspire to impartiality and fairness.

Echoing Hayek, the problem Sowell has with social justice is that it can only be enacted through a group of centralized government officials or an intellectual elite that cannot fully grasp complex social processes. By contrast knowledge is decentralized and dispersed, often residing with those outside positions of formal authority. For Sowell (2012), intellectuals are people whose end products are ideas, and despite their lack of consequentialist knowledge, they feel entitled to make decisions over the lives of flesh-and-blood human beings about whom they know very little.

For Sowell (1995), the essential belief of intellectuals is that most problems in the world stem from a lack of compassion and the solutions to these problems are simply waiting to be discovered. In this sense, intellectuals are "the anointed," and the solutions they impose are often backed by the power of government and taxation. The anointed include the left-wing media, academia, and political interest groups.

While this reflects a fundamental epistemic mistake, which Sowell points out, there is also an underlying moral issue. The people who suffer the consequences of these actions are those directly experiencing the problem to begin with. This is the case with affirmative action, which Sowell (2004) sees as an attempt to guarantee equal outcomes for people of different backgrounds. The priority given to minority groups results in discrimination against majority groups and typically leads to outcomes such as the placement of individuals without strong educational backgrounds at academic levels they are not well-equipped to handle. Affirmative action can also deprive people of the incentive to pursue their own goals without relying on government handouts.

But the fundamental moral problem with welfare is the burden it places on other people—those who have made responsible decisions in life but have to pay for the subsidies of so-called victims. This ultimately constitutes a violation of their freedom and property, since it forces hardworking individuals to take responsibility for the lives of those who have no desire to contribute to society or their own well-being. For Sowell (2007a, 149), this is equivalent to thievery and abuse: "According to Hayek, 'the phrase "social justice" is not, as most people probably feel, an innocent expression of good will towards the less fortunate,' but has become in practice 'a dishonest insinuation that one ought to agree to a demand of some special interest which can give no real reason for it.' The dangerous aspect, in Hayek's view, is that 'the concept of "social justice" . . . has been the Trojan Horse through which totalitarianism has entered'—Nazi Germany being just one example." Sowell identifies several common fallacies embedded in social justice discourse. Two of the most prevalent that he points out are the equal chances fallacy and the chess piece fallacy. The equal chances fallacy assumes that in a perfectly fair world of equal chances, every activity—from sports to cooking to construction—would have a demographic makeup that

mirrors the overall population (Sowell 2023b, 11). This omits prevalent differences in upbringing and culture; even if a society could guarantee perfectly equal opportunity and chances, people from different backgrounds do not necessarily want to pursue the same activities.

For Sowell (2023a), this is why black people often in professional basketball, white people in tennis, and Hispanics in Major League Baseball. He often gives the example that if a black child from Harlem had the same body as a famous ballet dancer, it is still unlikely he would become one because of the culture around him. Cultural factors push him down other paths. For Sowell, freedom is more important than equality because choice is shaped by circumstance.

Sowell (2023b, 59) attributes the chess piece fallacies to Adam Smith, who identified them in his own work. These arise from the belief that intellectuals and political figures can control society as easily as moving pieces on a chessboard. The idea that an enlightened elite at the top should direct the masses is flawed, because these individuals lack an understanding of the individual conditions of the people they aim to help. For Sowell (61), attempts to "assist" the masses are always likely to make things worse. He explains this fallacy through examples of government decisions that adjust laws to proportionally represent minority groups by granting them privileges that fail to promote true equality and instead demonize the so-called dominant group.

Underlying the fallacious rhetoric, however, is the knowledge problem which Sowell credits to Hayek. The idea, for Sowell (2023b, 81), that knowledge exists in a simple hierarchy—where the specialized knowledge that is taught in schools and universities is at the top while more practical, everyday knowledge is at the bottom—is flawed. The mistake in this logic is that the world often demands consequential knowledge, which varies depending on the specific circumstances and the decisions to be made. The value of knowledge cannot be determined solely by its level of apparent complexity or elegance; it also depends on its relevance and practical application (Sowell 2023a). This is why, when it comes to decisions that affect other people, Sowell points out that a professor faces no consequences if his theory is proven wrong, whereas the engineer who designed a bridge does not have the same luxury—if his knowledge is flawed, the consequences are catastrophic.

Sowell distrusts these attitudes because they rely on assumptions that human nature can be reshaped to eliminate suffering entirely. This perspective always requires a central authority to identify and remedy injustice, but the problem lies in determining who that authority should be (Sowell 2023a). Often, the intellectual positions himself as the solver, overestimating his own capacity (Sowell 2012). But, Sowell argues, justice is grounded in human actions and processes and is therefore blind to any one individual's will.

For Sowell (1999, 45), traditional concepts of justice or fairness ought to apply the same rules and standards to everyone. This is what is meant by equality of conditions. In this sense, cosmic justice not only differs from traditional justice, and comes into conflict with it, but is irreconcilable with personal freedom based on the rule of law. Traditional justice can be mass-produced through impersonal rules that govern human interactions, but cosmic justice is handcrafted by those in power as they turn their decisions about how individuals should be categorized into abstractions (46). The mere power to choose the beneficiaries is enormous, because it is also the power to choose the victims.

Through trial and error, what the law ought to be had to reveal itself, because no one has ever been capable of designing it all in advance (Sowell 2008). The processes of common law entail the recognition, as Hayek suggests, that knowledge accumulated over time and established through precedent is more trustworthy than the judgment of any one individual or group. Justice, for Sowell, is implied in the conduct and transactions that have taken place repeatedly in similar ways between individuals over time.

Much like Hayek before him, this view led Sowell to be critical of John Stuart Mill, because for Mill, legal precedent entailed an absurd sacrifice of present ends to antiquated means. For Sowell, Mill is suggesting that one should update the law based on his own intellectual resources rather than in accordance with the lived experiences and knowledge of generations past, which have proven their validity. Sowell (2008) is hesitant, however, to point out that this does not entail that the past is always valid; rather, it opens up the questions concerning who is qualified to update the law and how to do so without simply imposing one's own flawed will, imagination, or theory. This further reflects Sowell's insistence on the liberal system of checks and balances for powers which become unaccountable despite the best of intentions.

Sowell (1999, 4), like Hayek, argues that market outcomes are unjust only if deliberately allocated to specific individuals. In a spontaneous order—a "cosmos," as Hayek calls it—outcomes are neither just nor unjust, since personal intention is absent from outcomes. Natural processes, for Sowell (2000), cannot be deemed unjust, since such judgments only make sense if guided by a personal creator. Those who reject this view will interpret these outcomes as injustices and possibly intervene, effectively placing themselves in a godlike role (Sowell 1999, 47).

For this reason, Sowell finds that social justice could more accurately be called *antisocial* justice, since what is systematically ignored or dismissed are the costs to society (Sowell 1999, 49). This conception of justice seeks to correct not only biased or discriminatory acts by individuals and social institutions but also undeserved disadvantages in general, regardless of their origin (10).

Sowell (2000) illustrates this view in the context of contemporary US criminal trials, in which, before sentencing a murderer, the law allows the judge to consider the defendant's unfortunate childhood.

In a similar vein, Sowell adheres to Hayek's belief that justice should be reserved exclusively for human affairs and that merit and need are not determining factors in a marketplace. In other words, like Hayek, Sowell (2007a, 150) points out that the market is neutral in matters of justice. It is "absurd" to expect social justice from an uncontrolled process, because fulfilling such demands would require replacing market exchange with a centrally directed system: "In his view, human freedom was crucially dependent on rules in general, and especially on rules which carved out domains of exemption from government power. These rights—as conceived in the constrained vision—'protect ascertainable domains within which each individual is free to act as he chooses' and are thus the very opposite of rights to social justice, which imply expansion of the governmental domain to produce social results to which particular individuals and groups are morally entitled." The problem with cosmic justice, for Sowell, is that it ignores reality's limits. Drawing on Hayek, Sowell notes that terms such as *social justice* are redundant, since justice is inherently social. By contrast, the idea of a "society of omniscient persons" capable of enforcing absolute justice is impossible, making the unconstrained vision not only mistaken but also dangerous. Cosmic justice engages in the constructivist anthropomorphization that Hayek warned of in *Law, Legislation and Liberty* (1982). Outcomes will always inevitably mix merit and chance, meaning that some deserving individuals fail and others undeserving succeed. For Sowell, accepting this trade-off within a decentralized framework is both practical and ethically sound, since true justice must be in harmony with the unfolding of reality's complexities.

The crucial intellectual figure which Sowell opposes and depicts as advocating for cosmic justice is John Rawls, and despite Hayek never criticizing Rawls in quite the same way, Sowell (2007a, 148) deems Hayek's whole method of thinking as directly opposite to that of Rawls: "When Rawls repeatedly speaks of reasons of justice why society should 'arrange'—somehow—one result rather than another, he abstracts from social processes to concentrate on social goals. But Hayek abstracts from these social justice goals to concentrate on the characteristics of the processes created in pursuit of these goals—and the dangers that such processes are deemed to represent to freedom and general wellbeing." According to Sowell (2000), Rawls believed that genuine equality of opportunity could not be achieved simply by applying the same rules and standards to everyone; instead, specific interventions were required to equalize prospects or outcomes. From this perspective, Sowell (1999, 12) sees Rawls as arguing that undeserved inequalities demand a form of redress. The fundamental problem with Rawls

is that he advocates for an excess of justice at the expense of freedom and social stability. Sowell (2007a, 63) instead turns to Adam Smith for a thinker who sees general stability as more important than particular benefits.

Sowell (1999, 30) is skeptical of thinkers who believe that justice is more important than material programs, artistic achievement, or even personal and national security. For Smith, a certain degree of justice was a prerequisite for the survival of society, but beyond that, justice was just one of many social and individual goods to be weighed against one another (29). For Rawls, by contrast, justice was the primary good in any society that considered itself civilized (30). It could be argued, however, that freedom and traditional justice are already implicit within order. As Sowell (1980, 399) points out, "more justice for all is a contradiction in terms, in a world of diverse values and disparate conceptions of justice itself. 'More' justice in such a world means more forcible imposition of one particular brand of justice—i.e., less freedom. Perfect justice in this context means perfect tyranny. The point is not merely semantic or theoretical. The reach of national political power into every nook and cranny has proceeded in step with campaigns for greater 'social justice.'" Sowell (2011, 253) refers to the end goal of cosmic justice as the desire for equality of outcome—a quixotic hope that can lead to dangerous consequences in politics. He argues that achieving even the appearance of equality requires a concentration of power in the hands of political leaders. Sowell often likens this goal to the totalitarianism described by Hayek; rather than relying on an impartial process, such leaders can wield power for their own purposes—regardless of the original intentions behind granting them that authority.

Sowell's understanding of social justice follows the same logic Hayek articulates in the second volume of *Law, Legislation and Liberty* (1982) in his chapter titled "The Quest for Justice." Sowell (2015b), however, places a stronger emphasis on the role played by the confines of reality, which cannot be changed at will, since the world has never been a level playing field. People can be born in unfavorable geographical circumstances or lack access to the knowledge and resources that others have cultivated across generations. Attempting to level this playing field by ignoring these realities sets expectations that cannot be fulfilled through policy alone.

The value of justice, like freedom, ought to be understood as granting process characteristics priority over goal characteristics. Like Hayek, Sowell (2007a, 148) treats the rhetoric of social justice as a confused evasion of harsh realities inherent in the processes required to move toward such goals. For Sowell, justice is a formal process in which we are recognized as equals under the law and judges make decisions on the basis of precedent. A trial is just if rules are fair and officials impartial, regardless of the result. If rules

are biased or officials have ulterior motives—as when a distributor enforces "social justice"—the process is unjust. Traditional justice emphasizes impartial procedures, not engineered results.

Spontaneous Order

While Sowell was never as systematic as Hayek in his depiction of the spontaneous order, he refers to this concept on multiple occasions to explain order, the preservation of principle, and the unfolding of reality's affairs. In many ways, Sowell's idea of reality and the way people make trade-offs by means of certain institutional frameworks, cultural patterns, and the recognition of the limits of knowledge constitutes his depiction of order—an order which, according to Sowell, has been distorted by elites who try to avoid reality at all costs. In this sense, Sowell advocates for the institutions and habits which contribute to an order that is often unrealized, deeming these institutions compatible with reality and therefore orderly. Those who reject these institutions for the purpose of perfecting reality through distortion contribute to disorder.

The components of Sowell's idea of order are institutions such as the rule of law, military defense, and fair elections. At first glance, these might not seem like strictly liberal institutions, but once Sowell begins to analyze the problems of less developed countries—which deal with poverty, inequality, and corruption far worse than in the United States—his defense of liberal institutions, rooted in the constitutionalism Hayek advocated for, become clear. In other words, the cause of these problems is the lack of appropriate cultural patterns and institutions, which are essentially the institutions of liberalism, though these are never depicted as deliberate impositions from above:

> Irremediable ignorance and irremediable inequality go hand in hand, according to Hayek. It is precisely our "inescapable ignorance" that makes general rules necessary and general rules of social processes are incompatible with explicit determination of particular individual or group results. Those who "postulate a personified society" assume an intention, purpose, and corresponding moral responsibility where there is in fact an evolved order—and "the particulars of a spontaneous order cannot be just or unjust." Government, as a deliberately created entity, may act on intention and be morally judged by its acts, but not society. Government, as a limited set of decision-makers, cannot possess all the knowledge in a society, or anything approaching it, and therefore lacks the omniscience in fact to prescribe just or equal results. (Sowell 2007a, 98)

Sowell (1998, 319) equates the interplay between cultural patterns handed down across generations to lasting prosperity only when work habits, social institutions, and opportunities align in productive harmony. This is best illustrated in his explanation of the differences in cultural development between North America and South America. In North America, settlers were often granted land, benefited from a measure of limited government—which even granted some of the displaced indigenous peoples sovereignty over their own land—arrived with families that rarely intermarried with the native population, and cultivated habits of decentralized commerce and trade.

In contrast, Spanish and Portuguese America was organized around extractive institutions, large estates, forced indigenous labor and marriage, and tightly controlled trade that funneled wealth back to the crown, depriving local economies of incentives to innovate or invest in human capital—and eventually leaving Spain impoverished (Sowell 1998). Over centuries, this produced an aristocratic ethos that looked down on commerce as a vulgar pursuit and manual labor as menial drudgery (Sowell 2015a, 193). This in turn, would stifle any semblance of entrepreneurial spirit on a resource-rich continent.

In this sense, for Sowell (2011, 307), the productivity and success of North America were a result of the cultural values carried from home—values that align with dispersed knowledge and placed in the hands of many for economic and political efficiency; a limited role for government that enables individuals to make their own decisions and exercise freedom in pursuit of their goals; a flexible level of social mobility not hindered by aristocratic notions of privilege, which are not only unproductive but also maintain inequality by denying formal recognition of others' equality; and a rule of law. These cultural values were essentially liberal principles.

Moreover, Sowell (1998) understands human capital as the accumulation of skills, knowledge, and experience in an individual, all of which contribute to his economic productivity and potential future earnings. Education, training, and experiences are what enhance a person's ability to perform effectively in the workplace. This is why certain cultures have dominated in particular industries for decades, such as the Scots in whisky, the Germans in beer, the Japanese in agriculture, and the Italians in credit societies (Sowell 2015a, 194). This is also why, throughout Latin America, enclaves marked by the presence of foreign cultures resulted in productive, well-run operations.

For example, Lebanese and Syrians in Colombia and Venezuela built trade networks and small businesses that became urban lifelines (Sowell 2015a, 197), and Germans throughout the southern region founded schools, breweries, and export businesses that set local standards of quality and efficiency and separated them from other cultures present (Sowell 1980, 87–88). But all of these remained isolated enclaves of productivity,

surrounded by a larger pool of extractive rule, favoritism, corruption, and regulation, reflecting cultural patterns that were contrary to the values of freedom and respect for the rule of law and ultimately undermined success.

Many of these enclaves did not reproduce a generalized successful culture due to the absence of institutional reform and the failure to adopt successful cultural patterns. Thus, to claim that Sowell is opposed entirely to institutional reform would be mistaken. For Sowell, Latin American institutions consist of extractive political structures and unequal land tenure, which reinforce a culture of rent-seeking and clientelism based on favor and privilege. Success depends more on whom you know in the governor's palace than on what you build with your own hands, and cultural norms adapt to this condition accordingly. Free commerce is frowned upon, manual labor is viewed as a sign of failure, and entrepreneurial risks are best avoided, and these attitudes cause innovation to stagnate. In other words, how they structure their political and social institutions and the practices accompanying these institutions are deliberately designed in a way that recalls the notion of organization or taxis that Hayek contrasted with order or cosmos.

I am not suggesting that Sowell (2015a, 57) claims that the Japanese, Italians, or Germans are liberal but rather that he defends institutions and practices that are fundamental to a Hayekian liberal order. Limited government and checks and balances are intended to prevent the growth of corruption and dependence on the state. Sowell's comparative analysis parallels Hayek's in demonstrating that developed nations can attain prosperity by following a practical, though not guaranteed, approach to economic and social improvement. This approach only functions if individuals and groups apply their knowledge effectively and create value without attempting to force or control outcomes (Sowell 1980, 71).

In his book *Knowledge and Decisions* (1980), largely based on Hayekian epistemology, Sowell focuses on the family as society's primary decision-making unit. Through empirical data, Sowell demonstrates that stable two-parent families and practices such as early discipline lead to favorable academic and economic outcomes. These practices constitute cultural patterns that perpetuate themselves, just as the opposite practices do.

The role of the family, in Sowell's work, is depicted as the most important cultural intermediary required for progress, especially when coupled with local churches, customs, community associations, and trade guilds that command respect and can transmit new norms. These reward work, innovation, and self-reliance and harness communal trust to provide credit opportunities, apprenticeships connected to traditional crafts and agriculture, and decentralized governance, which can foster experimentation and accountability at the municipal level and thus reduce the allure of national

patronage. Essentially, cultural patterns are not just relationships predicated on productivity alone but exemplify values such as trust, responsibility, and accountability (Sowell 1980, 49).

Drawing on his interpretation of Hayek's account of cultural evolution, Sowell does not define culture as immutable or as destiny. He understands that cultures change rapidly when influenced by new incentives, institutions, or technologies and views Hayek's cultural evolutionary process as a "survival of the fittest" for social systems, where the most successful practices, historically evidenced and aligned with liberal principles, endure (Sowell 2007a, 56).

But cultural evolution is not merely a matter of chance and utility. In both Sowell's and Hayek's work, there are moral principles that remain valid independently of change and oppose any form of radical transformation. Thus their work reflects a process of adaptation—one that, in Sowell's account of tradition as embodied in the history of the United States, is treated as nearly sacred. Like Hayek, Sowell (2007a, 129) credits British traditions with giving rise to some of the most valuable American institutions in the first place.

Among other culturally evolved social systems, Sowell emphasizes language, which is both essential and complex yet not deliberately designed. Its rules are codified after the fact, reflecting patterns children often learn before formal instruction. Language is largely inferred, making it a systemic order shaped by use, imitation, and teaching—not by planning. Just as Hayek emphasized that there can be organization within order, Sowell argues that languages such as Esperanto can be constructed but will lack the richness and effectiveness of those that evolved.

Sowell (1980, 139) finds government intervention to be a problem for Hayekian reasons. The disruption it causes interferes with the natural decision-making that takes place among consumers, producers, families, and schools. These units possess better knowledge about their needs and preferences than central authorities that can only attempt to acquire such large amounts of knowledge through inefficient planned control.

Though it might seem that Sowell's perspective on order relies solely on environmental or hereditary factors, this is not the case. Cultural patterns extend beyond the confines of geography and genetics, as proven by the way distinct cultures interact with each other and coexist. Sowell (2015a, 56) uses the Germans as examples in the realm of education:

> This emphasis on education was also part of the culture of Germans living in other countries, including countries where the culture of the majority population had no such commitment to education. The great majority of Germans living in nineteenth century Russia, for example, were literate

> at a time when the great majority of Russians were illiterate. In German farming communities pioneering in the wilderness in nineteenth century Brazil, schools appeared in the first clearings in the woods, while most native-born Brazilians remained illiterate into the early twentieth century. In the Austrian Empire in 1900, the illiteracy rate among German males over the age of ten was 5 percent, while it was 45 percent among Polish males, 67 percent among Serbo-Croatian males and 71 percent among Romanian males in that empire.

Sowell further points out that their success extends to other industries, such as beer and, in places such as France, Russia, and Australia, piano making. They also ran the world's leading optical firms designing camera lenses in the first half of the twentieth century. And they are known for their military skills: There were German generals in the Roman legions, in czarist Russia, in South America, and in the American Revolutionary War. Even American armies fighting in Europe in both World War I and World War II were commanded by generals of German ancestry (56). The recognition of these differences in cultural patterns is relevant to Sowell's view of order, because if these differences are left untouched by government intervention and allowed to continue contributing to society, then they essentially constitute a form of cultural diversity within order that promotes civilizational growth. Like Hayek, Sowell argues that new knowledge benefits both particular groups and society as a whole, since it relies on the dispersed, decentralized understanding of individuals.

Order, for Sowell, is constituted by a recognition and embrace of the principles and institutions most compatible with reality. An institutional framework based on limited government, the free exchange of ideas, individual ownership, competition, and respect for the law is most likely to adapt and lead to success, bearing in mind the evolution of cultural factors. This observation, in turn, leads Sowell to defend a moral order grounded in responsibility, trust, accountability, and the exercise of freedom which results in a free society much like the one advocated by Hayek.

Conclusion

If Sowell is a conservative, what does he seek to conserve? The answer would be, a liberal order. Sowell's view of reality rests on a belief in liberal institutions which are the result of a hard-fought history of trial and error. Hence his defense of freedom and justice in accordance with American exceptionalism and a British tradition articulated by Hayek in his interpretation of the history of ideas.

Given the inclusion of Hayek as the key representative of the constrained vision, Sowell's liberalism might be best understood as a form of constrained liberalism. Flawed as we are as human beings, there are deficiencies in our

knowledge, wisdom, morality, and courage. The resources we have available are insufficient to meet the desires of all people, and individuals will not accept limits on the satisfaction of their own desires in order to compensate for these insufficiencies. Thus, socially inherent restrictions are met by individuals in the forms of prices, moral traditions, and social pressures—which have evolved culturally and ultimately facilitate an imperfect though relatively harmonious coexistence.

Sowell represents a continuation of Hayekian liberalism in advocating for the free society. The realism of his thought lies in its identification of recurring historical patterns that guide responses to societal problems through liberal institutions. Yet, given the complexity of variables, fully resolving such problems is likely impossible. Entrusting intellectual and moral pioneers with the power to direct societal progress deprives society of knowledge that can only be effectively discovered through decentralized processes.

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